



CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
WALLACE J. PUCHALSKI MUNICIPAL BUILDING
212 MAIN STREET, NORTHAMPTON
Northampton, MA

Roll Call

A regular meeting of the City Council was called to order by City Council President Ryan R. O'Donnell. At 7:18 p.m. on a roll call the following City Councilors were present:

At-Large Councilor William H. Dwight	At-Large Councilor Ryan R. O'Donnell
Ward 2 Councilor Dennis P. Bidwell	Ward 3 Councilor James Nash
Ward 4 Councilor Gina-Louise Sciarra	Ward 5 Councilor David A. Murphy
Ward 6 Councilor Marianne L. LaBarge	Ward 7 Councilor Alisa F. Klein

The following City Councilor was absent: Ward 1 Councilor Maureen T. Carney

**Announcement
of Audio/Video
Recording**

Councilor O'Donnell announced that the meeting was being audio and video recorded for broadcast by Northampton Community Television.

Public Hearing

Public Hearing:

**17.413 Petition to
Install Under-
ground Conduit,
Holyoke Street-
Announcement
of a Public
Hearing**

**17.413 Petition to Install Underground Conduit on Holyoke Street – Announce-
ment of a Public Hearing**

Councilor O'Donnell made the following announcement: In accordance with the provisions of Section 22, Chapter 166 of the General Laws, a public hearing will be held on March 15, 2018 @ 7:05 p.m. in City Council Chambers, 212 Main Street, Northampton, on the petition of National Grid to install underground facilities under a public way on Holyoke Street, Petition #24019445.

**Announcement:
Public Hearings
to Consider the
Laying Out of
King Street and
Garfield Avenue**

**Announcement of Public Hearings to Consider the Laying Out of King Street and
Garfield Avenue**

Councilor O'Donnell made the following announcement: Pursuant to M.G.L. Chapter 82, Section 21, the City Council will hold public hearings on Thursday, March 15, 2018 at 7:10 p.m. in Council Chambers, Wallace J. Puchalski Municipal Building, 212 Main Street, Northampton, MA to consider laying out the following private property to become public ways:

'Garfield Avenue Extension' - the portion of property consisting of 3,082.4 square feet +/- and shown on "Street Acceptance Plan of 'Garfield Avenue Extension'," prepared by The Berkshire Design Group, Inc. for The City of Northampton, Hampshire County dated March 29, 2017; and

King Street - changing/widening the layout of King Street to include the following parcels::

- Parcels 1C and 1D as shown on a plan entitled "Plan of Land in Northampton Massachusetts Surveyed for Cosenzi Automotive Realty Limited Partnership and recorded in the Hampshire Registry of Deeds in Plan Book 228, Page 99. See also deed of Cosenzi Automotive Realty Limited Partnership to the City of Northampton recorded in said registry in Book 11577, Page 205.
- The easement conveyed by Colvest Northampton, LLC to the City of Northampton, dated January 21, 2014 and recorded in said registry in Book 11577, Page 208.

Any person interested or wishing to be heard regarding these petitions should appear at the time and place designated.

**Updates from
Council Presi-**

Updates from Council President & Committee Chairs
None.

<u>dent & Commit- tee Chairs</u>	
<u>Recognitions and One-Minute Announcements</u>	<u>Recognitions and One-Minute Announcements</u> None.
<u>Communications and Proclama- tions from Mayor</u>	<u>Communications and Proclamations From the Mayor:</u> None
<u>Consent Agenda</u>	<u>Consent Agenda</u> Councilor O'Donnell reviewed the items on the consent agenda. He asked if anyone wished to remove an item for separate discussion. As no one did, Councilor Dwight moved to approve the consent agenda. Councilor LaBarge seconded. The motion passed unanimously 8:0 by voice vote. The following items were approved as part of the consent agenda: A. Approval of Minutes of February 15, 2018 B. 18.057 Appointment to Northampton Housing Authority (for referral to City Services) Marilyn Richards , 20 Bridge Rd., Unit 8, Florence Term: March 2018-June 2023 <i>(Replacing expired term of Lynne Wallace)</i>
<u>Recess for Committee on Finance Meeting</u>	At 7:21 p.m. the City Council recessed for the Committee on Finance meeting. The Committee on Finance meeting adjourned at 10:52 p.m. The City Council reconvened at 10:52 p.m.
<u>Resolutions:</u> <u>18.055 Resolu- tion to Adopt the Capital Improve- ment Program for FY2019-2023 Submitted to City Council on January 29, 2018 - 1st Reading</u>	<u>Resolutions:</u> <u>18.055 Resolution to Adopt the Capital Improvement Program for FY2019-FY2023 Submitted to City Council on January 29, 2018 - 1st Reading</u> Councilor Murphy moved to approve the resolution in first reading. Councilor Dwight seconded. Councilor O'Donnell read the text of the resolution. Councilor Klein stated that she will vote in favor of the resolution but that she will be voicing opposition to one of the specific appropriations. Councilor Sciarra asked about the City Hall foundation work proposed for FY 2022. Since the city just received a grant for ADA improvements, including regrading and sidewalk reconstruction in the area around City Hall, she asked if it made sense to do the foundation work in conjunction with the grant project. Mayor Narkewicz said that was a good question, and he would ask the Central Services Director. Councilor O'Donnell called the motion to a vote, and the resolution passed unanimously in 1 st reading 8:0 by roll call vote (Councilor Carney absent). <u>See Minutes of March 15, 2018 for second reading.</u>
<u>Financial Orders</u> <u>18.030 Order to</u>	<u>Financial Orders</u> <u>18.030 Order to Accept an Easement at Village Hill - 1st Reading</u>

Accept an Easement at Village Hill - 1st Reading

18.044 Order to Appropriate \$1.486 Million from Free Cash for Various Capital Projects - 1st Reading

18.044A Order to Appropriate \$1.411 Million from Free Cash for Various Capital Projects – 1st Reading

18.044B Order to Appropriate \$75,000 from Free Cash for Police Protective Equipment and Training – 1st Reading

Councilor Bidwell moved to approve the order in first reading. Councilor Dwight seconded. The motion passed unanimously 8:0 by roll call vote (Carney absent).

See Minutes of March 15, 2018 for second reading.

18.044 Order to Appropriate \$1.486 Million from Free Cash for Various Capital Projects - 1st Reading

Councilor LaBarge moved to approve the order. Councilor Murphy seconded.

Councilor Klein moved to divide the question to separate out the line item for \$75,000 Police Protective Equipment and Training so they can vote on it separately and have a more robust discussion. Councilor Dwight seconded. The motion carried 8:0.

Councilor O'Donnell informed members that the motion to consider the main order without the police protective gear was on the floor for discussion. There being none, he called the motion to a vote and it passed 8:0 on a roll call.

Members discussed the \$75,000 for Police Protective Equipment and Training.

Councilor Klein described the public turnout for this item as “incredible.” She was very impressed with the persuasive comments about how, as a community, they need to think differently about how to fund and operate the police department, she related.

She served two years in the Israeli army and, as an 18-year old conscript, was given a weapon and put in uniform, Councilor Klein shared. She knows in her own flesh what it is like to become militarized and to carry a lethal weapon and what it does to one's psyche and the psyche of fellow soldiers. It affects a person's mentality around concepts of power, and people experience a deep psychological shift when they are in a position of power and control, holding weapons and wearing uniforms. She is not anti-police, she stressed. She accepts the need to have people in the community to keep residents safe and respond to situations of harm but thinks they need to think differently as a community about what kind of power those people have.

She found some inaccuracies in the chief's figures, she continued. The memo says the department received \$182,000 since 2012 for tactical equipment and training, but the list of expenditures provided totals only \$113,254. She asked Chief Kasper by e-mail this afternoon how the remaining \$68,000 was used and for an itemized list of how this year's \$75,000 would be spent.

She read aloud Chief Kasper's response: “We haven't used all the funding so the total is not an inaccuracy but instead represents the money spent so far. We plan to use more of the existing funds for this month's upcoming active shooter training, which will be thousands of dollars. We'll also use it for ammunition replenishment after our spring firearms qualifications . . . unfortunately, we can't always anticipate exactly what we will need to purchase each year.”

This means the police department has leftover money from past capital requests yet is asking this year for the same amount which is left over for which they do not have an exact inventory, Councilor Klein presented. This raises questions in her mind as they don't know the specifics of what's being funded or why more funding is being requested when money is left from past years.

Regarding the concept of 'less-lethal' weapons, these are not weapons that are used in active shooter situations; they are designed for crowd control and crowd dispersal, she asserted. She has a friend who sustained a serious brain injury from one of these weapons and another friend who was seriously injured by a bean-bag launcher. Because these are specifically used in riot situations and for crowd control it feels to her like they absolutely do not need these in Northampton.

In her response, Chief Kasper did not explain any of the operational policies in place around the use of the items requested, Councilor Klein continued. Given community

sentiment and concern about the growing militarization of police forces across the country, it makes sense to have maximum transparency for this and future appropriation requests, she contended. Until there is more information about standard operating procedures, she cannot in good conscience vote to appropriate this funding. She voiced the opinion that they need to think about the adoption of some kind of civilian oversight and accountability board that can provide recommendations for the capital purchases of the police department. She sees this as the first step toward shifting the way they think about policing in this community.

Councilor Dwight expressed his understanding that there are a variety of different 'non-lethal' guns that fire rubber bullets. The one being requested fires one large rubber bullet or a beanbag and is not for crowd dispersal, it's for individual encounters, he said. We have to be a little more specific and careful when we talk about things, he advised. The police agency is a reflection of a community. After 9/11, the Ferguson police had an orgy of purchasing - armored personnel carriers, desert camo for urban policing, etc.; they 'up-armed' as much as they could. The descriptions we've heard about the separations and perversion of what it means to police . . . are unfortunately projected on our own police department, he suggested. Our own police department suffers from a global concern about police in general. He referred to the ladder truck and the fact that the city spends a fortune on it in case there is a large structure fire. They've heard other people talk about how this community to them is somewhat of a haven; their experience has been by and large not the same, not parallel, not close [to cities with reputations for militarized police forces]. He sympathizes and understands the resistance, however, he became cognizant during the discussion that they were ascribing and assigning a myriad of attitudes to a department that has not earned them. We're talking about a \$75,000 investment out of a million plus budget.

He doesn't equate this with the security camera issue, Councilor Dwight continued. The city has martial systems; the fire Department is a martial system and for that matter so is the Department of Public Works. That's never made him particularly comfortable; by and large these martial systems attract a certain type. A lot of police applications come from people who've served in the military because they feel it's a logical transition to civilian work. But there's another term that disturbs him. He has 'a deep and abiding discomfort' with the characterization of the Police Department, the way we conduct our polity and the way we function as a community. "I think a lot has been projected on us and it's also been projected on the police department," he observed. We're bearing a defensive posture based on presumptions made elsewhere, he concluded.

Councilor Nash thanked everybody for showing up and sharing. Something happened in early September; he sensed a shift; that suddenly somehow trust was broken, he related. Dana [Goldblatt] spoke of it. There is a split and he questioned 'how we pull that back together.' That's something we need to explore. As a councilor he has the privilege of knowing city administrators firsthand. He gets to work with Chief Kasper and has also had the privilege of being around the city police force. Due to that he has admiration and personal knowledge of the officers, and he doesn't have the distrust. We have some real work to do there, he suggested. This paired with the cameras is a lot of distrust. He said he wanted to be clear that he didn't think the way to build trust is to cut police funding, although he thought some people would like that. Around this particular purchase, this equipment has not been used in any demonstrations. However, he said he understands people's concerns about it coming out of the lockers. He is going to vote for this but with the idea that 'we need to do a lot of work,' he said.

An audience member shouted out that it was used on Eric Matlock.

Councilor Klein moved to recognize a member of the audience. Councilor Dwight seconded.

Dana Goldblatt said she wanted to address Councilor Dwight's comment that Northampton police are different in a lot of ways. She cross examines officers on the stand about their use of force and 'they don't know what it is,' she insisted. She asked the officer who grabbed Eric Matlock and dragged him away why the action wasn't on his use of force report. He said he didn't use force, he just helped him comply. "He

didn't know that you weren't allowed to do that."

While this was happening there was a wall of seven uniformed officers with guns behind her giving the officer support. The theory was that she was attacking him by implying that his action was inappropriate. In every interview that's come out, the city is behind him. "He doesn't know what force is," she reiterated. She had him read it from the manual, and he was surprised. This is not unusual, she asserted.

"We're not a special and unique police force," she maintained. It wasn't her experience elsewhere that informed her testimony, it was her experience here that essentially radicalized her, she clarified.

They are talking about issues of proportion, Councilor Dwight responded. Part of this funding includes expanded training, he pointed out. Subsidizing training for intrinsic bias, escalation of force and issues along those lines are part of this investment. What we're being asked to do here at this point is somewhat punitive to a department that many in this room actually hold in contempt, he suggested. He does not, he stressed. He thinks there are other ways to address the issues that were brought up. He expressed willingness to discuss the subject at length in another setting, since the council is presently in the midst of deliberations.

Blair Gimma asked to be recognized. Councilor O'Donnell said he had wanted to avoid getting into a back and forth, but he asked if there was a motion to recognize her. There was not.

Councilor Bidwell said he had been moved by the experiences people had in their own lives in different settings. He was also moved by the comment of Susan Maguire when she said they do not see this equipment because the police work so hard not to use it. That has truly been his experience, he attested. He finds that the philosophy of their Police Department is in fact different. He does believe they are a special community and that they have a different type of police department. They are not at the Pettus bridge in Selma, and their police are not the Alabama state troopers or the Chicago cops at the Democratic convention in 1968. He thinks they do a disservice to the police to paint them with the brush of concern about what happens in Ferguson and many other places. He doesn't think there is any evidence to support that depiction. He sees a police force that emphasizes de-escalation and humane engagement of people with mental health issues. "I do not see a militarized police force," he observed. He believes this is a police force and an administration worthy of their trust until proven otherwise. He supports the request for what he sees as appropriate replacement gear and training and so will be voting for it.

Clearly, her comment set in motion a referendum on the police department. "That was not my intention," Councilor Klein assured. As a financial order, she asked if there was a procedural way to refer it to committee.

In terms of parliamentary procedure, it would be in order to have a motion to refer an order to committee, Councilor O'Donnell confirmed.

Councilor Klein moved to refer the order to City Services. Councilor Dwight seconded.

Members discussed. Councilor Klein justified the referral as an opportunity to obtain more information, since there is an unspent balance from past years and they don't have a detailed inventory of the items being requested.

Mayor Narkewicz pointed out that they are still in FY2018, so additional spending will take place this fiscal year. It is not uncommon for these funds to have a small balance at the end of the fiscal year. There are years where the DPW doesn't spend all of the water line replacement money in its budget. City officials are basically providing funds on a periodic basis for items they know need replacement on a regular basis. By requiring a further accounting, councilors are holding this budget item to a different standard than other items, he suggested.

He is sympathetic to the desire to get answers to the questions but he finds the Mayor's answer to that question quite satisfactory, Councilor Bidwell noted. He isn't sure what additional answer would be provided at a City Services Committee meeting, he said.

Councilor Klein moved to recognize Blair Gimma. Councilor Dwight seconded The motion passed unanimously 8:0 (Carney absent).

"Why aren't you listening to the concerns of your constituents?" Ms. Gimma asked.

Councilor Klein said she would be willing to withdraw her motion with a public statement of her commitment to following up with a more involved discussion about policing in the community.

Councilor Dwight expressed the opinion that a more appropriate discussion would be a broader conversation, less about a \$75,000 line item and more about what prompts the resistance to that line item.

Councilor O'Donnell called the motion to a vote, and, on a roll call, it passed first reading with 7 in favor, 1 opposed (Klein) and 1 absent (Carney).

See minutes of March 15, 2018 for second reading.

18.045 Order to Appropriate \$800,000 from Capital Stabilization for Capital Projects - 1st Reading

Councilor Murphy moved to approve the order in first reading. Councilor Dwight seconded. The motion carried 8:0 by roll call vote (Carney absent).

See minutes of March 15, 2018 for second reading.

18.046 Order to Appropriate \$132,000 from Parking Receipts Reserved for Parking Equipment and Pay by Plate Kiosks - 1st Reading

Councilor Dwight moved to approve the order in first reading. Councilor Sciarra seconded. The motion carried 8:0 by roll call vote (Carney absent).

See minutes of March 15, 2018 for second reading.

18.047 Order to Appropriate \$86,100 from PEG Access Fund for WAN Upgrade - 1st Reading

Councilor LaBarge moved to approve the order in first reading. Councilor Klein seconded. The motion carried 8:0 by roll call vote (Carney absent).

See minutes of March 15, 2018 for second reading.

18.048 Order to Appropriate \$150,000 from Mayor's PILOT Fund for 1:1 Chrome Books for Northampton Public School Students and Replacement Turnout Gear - 1st Reading

Councilor LaBarge moved to approve the order in first reading. Councilor Bidwell seconded. The motion carried 8:0 by roll call vote (Carney absent).

See minutes of March 15, 2018 for second reading.

18.049 Order to Authorize Borrowing \$1,500,000 for Paving Projects - 1st Reading

Councilor LaBarge moved to approve the order in first reading. Councilor Dwight seconded. The motion carried 8:0 by roll call vote (Carney absent).

See minutes of March 15, 2018 for second reading.

18.045 Order to Appropriate \$800,000 from Capital Stabilization for Capital Projects - 1st Reading

18.046 Order to Appropriate \$132,000 from Parking Receipts Reserved for Parking Equipment and Pay by Plate Kiosks
18.047 Order to Appropriate \$86,100 from PEG Access Fund for WAN Upgrade - 1st Reading

18.048 Order to Appropriate \$150,000 from Mayor's PILOT Fund for 1:1 Chrome Books for NPS Students and Replacement Turnout Gear-1st Reading

18.049 Order to Authorize Borrowing \$1,500,000 for Paving Projects -

1st Reading

18.050 Order to Authorize Borrowing \$500,000 for DPW Cold Storage Facility - 1st Reading

18.051 Order to Authorize Borrowing \$900,000 for DPW Vehicles - 1st Reading

18.052 Order to Appropriate \$50,000 from Cemetery Perpetual Care for Cemetery Projects - 1st Reading

18.053 Order to Appropriate Funds from Cemetery Perpetual Care and Bates Tomb Trust for Bates Tomb Repairs

18.054 Order to Appropriate \$34,263 from Dog Fund for ACO Van - 1st Reading

18.039 Order To Authorize Acceptance of ValleyBike Share Easements – 2nd Reading

18.050 Order to Authorize Borrowing \$500,000 for DPW Cold Storage Facility - 1st Reading

Councilor Dwight moved to approve the order in first reading. Councilor Bidwell seconded. The motion carried 8:0 by roll call vote (Carney absent).

See minutes of March 15, 2018 for second reading.

18.051 Order to Authorize Borrowing \$900,000 for DPW Vehicles - 1st Reading

Councilor Klein moved to approve the order in first reading. Councilor LaBarge seconded. The motion carried 8:0 by roll call vote (Carney absent).

See minutes of March 15, 2018 for second reading.

18.052 Order to Appropriate \$50,000 from Cemetery Perpetual Care for Cemetery Projects - 1st Reading

Councilor LaBarge moved to approve the order in first reading. Councilor Klein seconded. The motion carried 8:0 by roll call vote (Carney absent).

See minutes of March 15, 2018 for second reading.

18.053 Order to Appropriate Funds from Cemetery Perpetual Care and Bates Tomb Trust for Bates Tomb Repairs - 1st Reading

Councilor LaBarge moved to approve the order in first reading. Councilor Dwight seconded. The motion carried 8:0 by roll call vote (Carney absent).

See minutes of March 15, 2018 for second reading.

18.054 Order to Appropriate \$34,263 from Dog Fund for ACO Van - 1st Reading

Councilor Klein moved to approve the order in first reading. Councilor LaBarge seconded. The motion carried 8:0 by roll call vote (Carney absent).

See minutes of March 15, 2018 for second reading.

18.039 An Order To Authorize Acceptance of ValleyBike Share Easements – 2nd Reading

Councilor Klein moved to approve the order in second reading. Councilor Dwight seconded. The motion passed unanimously 8:0 by roll call vote (Carney absent).

The following order passed second reading:

City of Northampton
MASSACHUSETTS

In City Council, February 15, 2018

Upon the recommendation of Mayor David J. Narkewicz and Planning & Sustainability

O-18.039 An Order
To Authorize Acceptance of ValleyBike Share Easements

Ordered, that

WHEREAS, *Walk/Bike Northampton, the Pedestrian and Bicycle*

	<p><i>Comprehensive Plan (2017)</i> recommends the creation of a bike share program;</p> <p>WHEREAS, In Spring 2017, City Council authorized the Mayor to accept an easement for a ValleyBike share station in Florence;</p> <p>WHEREAS, Other bike share easements and license are needed;</p> <p><i>Ordered, that</i></p> <p>The Mayor is authorized to accept easements and fee or other interests in land for ValleyBike share stations; with such terms as the Mayor determines are agreeable.</p> <p><u>Rules suspended, passed two readings and enrolled.</u></p> <p>At Councilor Dwight’s suggestion, due to the lateness of the hour and the presence of city staff members to participate, members agreed to take the following zoning ordinances out of order.</p>
<p><u>Ordinances</u></p> <p><u>18.027 An Ordinance Relative to Zoning and Marijuana - 1st Reading</u></p> <p><u>18.033 An Ordinance Relative to Zoning and Marijuana - 1st Reading</u></p> <p><u>18.034 An Ordinance Relative to Zoning and Marijuana - 1st Reading</u></p> <p><u>18.035 An Ordinance Relative to Zoning and Marijuana - 1st Reading</u></p> <p><u>18.036 Ordinance to Amend HB Table of Use to Delete Commercial Storage - 1st Reading</u></p> <p><u>18.037 Ordinance to Reformat GI</u></p>	<p><u>Ordinances</u></p> <p><u>18.027 An Ordinance Relative to Zoning and Marijuana - 1st Reading</u></p> <p>The reading of the ordinance was waived by general consent. Councilor LaBarge moved to approve the ordinance in first reading. Councilor Sciarra seconded. The motion passed 8:0 by roll call vote (Carney absent).</p> <p><u>See minutes of March 15, 2018 for second reading</u></p> <p><u>18.033 An Ordinance Relative to Zoning and Marijuana - 1st Reading</u></p> <p>Councilor LaBarge moved to approve the ordinance in first reading. Councilor Dwight seconded. The motion passed 8:0 by roll call vote (Carney absent).</p> <p><u>See minutes of March 15, 2018 for second reading</u></p> <p><u>18.034 An Ordinance Relative to Zoning and Marijuana - 1st Reading</u></p> <p>Councilor LaBarge moved to approve the ordinance in first reading. Councilor Dwight seconded. The motion passed 8:0 by roll call vote (Carney absent).</p> <p><u>See minutes of March 15, 2018 for second reading</u></p> <p><u>18.035 An Ordinance Relative to Zoning and Marijuana - 1st Reading</u></p> <p>Councilor LaBarge moved to approve the ordinance in first reading. Councilor Dwight seconded. The motion passed 8:0 by roll call vote (Carney absent).</p> <p><u>See minutes of March 15, 2018 for second reading</u></p> <p><u>18.036 Ordinance to Amend HB Table of Use to Delete Commercial Storage - 1st Reading</u></p> <p>Councilor Dwight moved to approve the ordinance in first reading. Councilor Klein seconded. The motion passed 8:0 by roll call vote (Carney absent).</p> <p><u>See minutes of March 15, 2018 for second reading</u></p> <p><u>18.037 Ordinance to Reformat GI Table with Other Minor Changes - 1st Reading</u></p> <p>Councilor LaBarge moved to approve the ordinance in first reading. Councilor Dwight</p>

<u>Table with Other Minor Changes - 1st Reading</u>	<p>seconded. The motion passed 8:0 by roll call vote (Carney absent).</p> <p><u>See minutes of March 15, 2018 for second reading</u></p>
<u>18.038 Ordinance to Reformat OI Table and Allow Flexible Reuse of Historic Mill Buildings - 1st Reading</u>	<p><u>18.038 Ordinance to Reformat OI Table and Allow Flexible Reuse of Historic Mill Buildings - 1st Reading</u></p> <p>Councilor LaBarge moved to approve the ordinance in first reading. Councilor Klein seconded. The motion passed 8:0 by roll call vote (Carney absent).</p> <p><u>See minutes of March 15, 2018 for second reading</u></p> <p>Councilors returned to discussion of the financial orders.</p>
<u>Financial Orders (continued)</u> <u>18.040 Order to Declare Lot 4 Village Hill South Surplus - 2nd Reading</u>	<p><u>Financial Orders (continued)</u></p> <p><u>18.040 Order to Declare Lot 4 Village Hill South Surplus - 2nd Reading</u></p> <p>Councilor Murphy moved to approve the order in second reading. Councilor Klein seconded. The motion passed unanimously 8:0 by roll call vote (Carney absent).</p> <p><u>The following order passed second reading:</u></p> <div><p>City of Northampton</p><p>MASSACHUSETTS</p><p><i>In City Council, February 15, 2018</i></p><p><i>Upon the recommendation of Mayor David J. Narkewicz and Planning and Sustainability</i></p><p><u>O-18.040 AN ORDER</u></p><p><u>TO DECLARE LOT 4 VILLAGE HILL SOUTH SURPLUS</u></p></div> <p><i>Ordered, that</i></p> <p>WHEREAS, On September 7, 2018 City Council authorized the City to accept a deed for Lot 4, Earle Street, Village Hill South, at the former Northampton State Hospital for future public uses or economic development;</p> <p>WHEREAS, The City acquired the property on October 10, 2017;</p> <p>WHEREAS, The City is exploring opportunities to sell the property to promote economic development;</p> <p><i>Ordered, that</i></p> <p>Lot 4 is declared surplus to City needs;</p> <p>Further, the Mayor is authorized to sell the parcel with such conditions as he deems reasonable.</p> <p><u>Rules suspended, passed two readings and enrolled.</u></p>
<u>18.041 Order Related to Eligible Traffic Mitigation Expenses - 2nd</u>	<p><u>18.041 Order Related to Eligible Traffic Mitigation Expenses - 2nd Reading</u></p> <p>Councilor LaBarge moved to approve the order in second reading. Councilor Dwight seconded. The motion passed unanimously 8:0 by roll call vote (Carney absent).</p>

Reading

The following order passed second reading:

City of Northampton

MASSACHUSETTS

In City Council, February 15, 2018

Upon the recommendation of Mayor David J. Narkewicz and Planning & Sustainability

O-18.041 An Order
Related to Eligible Traffic Mitigation Expenses

Ordered, that

- WHEREAS, Zoning requires that certain development projects make transportation improvements or voluntarily make a payment-in-lieu of such improvements to mitigate traffic impacts that are reasonable related to the development; and
- WHEREAS, Said funds may only be used for transportation mitigation reasonably related to the development and in accordance with any conditions imposed by the Planning Board in approving the development project; and
- WHEREAS, The City has established a Traffic Mitigation account (2580175), administered by the Office of Planning and Sustainability, to accept said payment-in-lieu of transportation improvements donations and payments; and
- WHEREAS, City Council has previously (9/20/2012 and 10/4/2012) authorized the City to use these funds for any eligible design, feasibility, planning, and for certain construction projects including bicycle lanes, multiuse trails, park-and-ride lots, and other projects.

Ordered, that

City Council authorizes the Mayor to also use these funds for the following, to the extent funds are available and the projects mitigate impacts reasonably related to the development project that provided the funds:

- Bicycle share pads and stations
- Other multiuse trail access ramps
- Complete street projects
- Traffic calming projects

Rules suspended, passed two readings and enrolled.

18.042 Order to
Declare Cell
Tower Site (170
Glendale Road)
Surplus - 2nd
Reading

18.042 Order to Declare Cell Tower Site (170 Glendale Road) Surplus - 2nd Reading

Councilor LaBarge moved to approve the order in second reading. Councilor Dwight seconded. The motion passed unanimously 8:0 by roll call vote (Carney absent).

The following order passed second reading:

City of Northampton

MASSACHUSETTS

In City Council

February 15, 2018

	<div>Upon recommendation of the Mayor</div> <div>O-18.042 An Order</div> <div>To Declare Cell Tower Site (170 Glendale Road) Surplus</div> <div>Ordered, that</div> <div>Whereas, the City entered into a twenty year lease for 6000 square feet of land located at 170 Glendale Road for use as a cell tower site in 2000;</div> <div>Whereas, the site currently contains a 199 foot, monopole tower which is owned and operated by American Tower, L.P and the tower supports the equipment of four telecommunications companies, municipal antennas and associated equipment shelters;</div> <div>Whereas, the existing 20-year lease of the site to American Tower, L.P. expires on May 16, 2020;</div> <div>Whereas, the continued lease of the property for the purpose of a cell tower site is valuable to the city as it provides an average of \$115,000 in annual revenue to support city solid waste services and also provides a location for municipal antennas for public safety; and</div> <div>Whereas, M.G.L. c. 30B, § 16 requires a vote of the City Council to surplus any interest in public property prior to its disposal,</div> <div>NOW, THEREFORE, BE IT RESOLVED,</div> <div>The property at 170 Glendale Road property, currently being used as a cell tower site, be declared surplus as of May 16, 2020 and available for lease for a period of up to thirty years and the City Council authorizes and directs the Mayor to award and execute said lease, on such terms and conditions as the Mayor deems reasonable.</div> <div>Rules suspended, passed two readings and enrolled.</div>
<div>Orders</div> <div>18.056 An Order to Accept M.G.L. Ch. 23M ("the PACE Act")</div>	<div>Orders</div> <div>18.056 An Order to Accept M.G.L. Ch. 23M ("the PACE Act")</div> <div>Councilor Dwight moved to refer Order 18.056 to the Energy and Sustainability Commission. Councilor Klein seconded. The motion passed 8:0 by voice vote (Carney absent).</div>
<div>Ordinances (Not Yet Referred)</div> <div>18.043 Ordinance related to bicycling on sidewalks, defining multi-use trails, and regulating bike lanes</div>	<div>Ordinances (Not Yet Referred)</div> <div>18.043 An Ordinance related to bicycling on sidewalks, defining multi-use trails, and regulating bike lanes</div> <div>Councilor Dwight moved to refer the ordinance to the Transportation and Parking Commission and Legislative Matters. Councilor Nash seconded. The motion passed 8:0 by voice vote (Carney absent).</div>
<div>Ordinances</div> <div>17.265 Ordinance Relative to Taxis and Vehicles for</div>	<div>Ordinances</div> <div>17.265 An Ordinance Relative to Taxis and Vehicles for hire - 1st Reading</div>

<u>hire - 1st reading</u> <u>17.379 Ordinance</u> <u>Relative to Park-</u> <u>ing on Prospect</u> <u>Street – 1st</u> <u>Reading</u>	<p>Councilor Dwight moved to approve the ordinance in first reading. Councilor Sciarra seconded. The motion passed unanimously 8:0 by roll call vote (Carney absent).</p> <p><u>17.379 An Ordinance Relative to Parking on Prospect Street – 1st Reading</u></p> <p>Councilor Dwight moved to approve the ordinance in first reading. Councilor Klein seconded.</p> <p>Councilor Bidwell said he believed the text of the ordinance referring to the time frame of 8 a.m. to 6 p.m. should be replaced with the time period of 7:30 to 9:30 a.m. and 3:30 to 5:30 p.m. to reflect the intent of the proponents. He made a motion to that effect. Councilor Dwight seconded. Councilor O'Donnell raised the question as to whether it should be Monday through Friday instead of Monday through Saturday, and Councilor Bidwell accepted this suggestion as a friendly amendment. The motion to amend the ordinance carried by voice vote of 8:0 (Carney absent).</p> <p>Councilor Dwight called the motion to approve the amended ordinance to a vote, and it passed unanimously 8:0 by roll call vote (Carney absent).</p>
<u>Information</u> <u>Requests</u> <u>(Charter</u> <u>Provision 2-7)</u> <u>and Information</u> <u>Study Requests</u>	<p><u>Information Requests (Charter Provision 2-7)</u> <u>and Information Study Requests</u></p> <p>None</p>
<u>Motion to Adjourn</u>	<p>At 12:10 p.m., a motion to adjourn was made by Councilor Dwight and seconded by Councilor LaBarge. The motion passed on a voice vote of 8 Yes, 0 No (Carney Absent).</p> <p>Attest: Laura Krutzler, Administrative Assistant to the City Council</p>